



Periodic Review / Retain Regulation Agency Background Document

Agency name	Virginia Department of Social Services
Virginia Administrative Code (VAC) citation	22 VAC 40-400
Regulation title	Funding Limitation for the Refugee Resettlement Program
Document preparation date	May 22, 2006

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 21 (2002) and 58 (1999).

Legal basis

Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.

Federal Authority: Code of Federal Regulations 400.203 (a)
State Authority: Code of Virginia, § 63.1-25

Alternatives

Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.

There are no alternatives to achieving the purpose of this regulation. The *Balanced Budget and Emergency Deficit Control Act of 1985* (Gramm-Rudman-Hollings Act) provided for automatic spending cuts to take effect if the president and Congress failed to reach established targets; and the U.S. comptroller general was given the right to order spending cuts. This regulation was promulgated in 1986 and limited assistance and services to refugees to the amount allocated by Congress to the Refugee Resettlement Program each year.

Public comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

The Virginia Department of Social Services Office of Newcomer Services received no comments on this regulation during the public comment period.

Effectiveness

Please indicate whether the regulation meets the criteria set out in Executive Order 21, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

The regulation meets its intended purpose. The federal government has changed the eligibility period for receipt of refugee cash and medical assistance several times since 1986. Each time, the Virginia Department of Social Services has been able to change its eligibility period without further state regulatory action.

Result

Please state that the agency is recommending that the regulation should stay in effect without change.

The Virginia Department of Social Services recommends that the regulation stay in effect without change.

Family impact

Please provide an analysis of the regulation's impact on the institution of the family and family stability.

The regulation does not impact the institution of the family or family stability. It addresses the limitation of funding for services and does not address the method of service delivery or eligibility criteria.